

PATENT APPLICATION
Docket No. 34647-00405USPT
P12217US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re provisional patent application of: §
Anders Hoff et al. §
§
Serial No.: 09/467,420 § Group Art Unit: 2682
§
Filed: December 20, 1999 § Examiner: D. Nguyen

For: SIGNAL PRIORITIZATION IN A COMMUNICATION SYSTEM

Attention: Office of Petitions
To the Commissioner for Patents
Box DAC
Washington, D.C. 20231

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited postage paid with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231	
on August 8, 2002	
Signature: Linda McSweeney	

Dear Sir:

PETITION FOR WITHDRAWAL OF THE HOLDING
OF ABANDONMENT UNDER 37 C.F.R. § 1.181

Applicant hereby petitions for withdrawal of the Notice of Abandonment mailed July 10, 2002, in the above-referenced application for patent. The basis for abandonment was the alleged failure by Applicant to timely pay the issue fee. Applicant hereby submits the following evidence showing that neither a Notice of Allowability nor a Notice of Allowance and Issue Fee Due were received by Applicants' attorneys' law firm, Jenkens & Gilchrist.

As set forth in the attached Declaration of Jennifer E. Garth, who is an incoming mail docketing clerk for Applicants' attorneys' law firm, Jenkens & Gilchrist, no Notice of Allowability or Notice of Allowance and Issue Fee Due was ever received by Jenkens & Gilchrist. Further, the undersigned have also reviewed the contents of the file of the above-identified application and submit that neither the original Notice nor a record of such is contained within the file. Accordingly, Applicants submit that the Petition to Withdraw the Holding of Abandonment is in order and that the period for response of the Notice should be restarted.

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Applicants respectfully submit that this Petition should be granted based upon the facts stated herein and in the Declaration and attachments to the Declaration of Jennifer E. Garth. Applicants further respectfully request and petition the Commissioner to exercise the Commissioner's authority to waive any and all rules necessary to revive the status of this Application as it would have been prior to the Notice and to restart the period of response to the Notice and to promptly notify Applicants of the decision on the Petition.

It is believed that no fee is due for this request; however, if there is a fee, please charge our Deposit Account No. 10-0447.

Respectfully submitted,

JENKENS & GILCHRIST, P.C.

By:



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